

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

COMMODITY FUTURES TRADING  
COMMISSION,

Plaintiff,

v.

DAMIAN CASTILLA, DCAST CAPITAL  
INVESTMENTS LLC, and FIVE TRADERS  
LLC,

Defendants.

Case No.: 1:22-cv-21520

**PLAINTIFF’S MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANTS  
DAMIAN CASTILLA, DCAST CAPITAL INVESTMENTS LLC, AND FIVE TRADERS  
LLC PURSUANT TO RULE 55(a) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

Plaintiff Commodity Futures Trading Commission requests an entry of default against defendants Damian Castilla, DCAST Capital Investments LLC (“DCAST”), and Five Traders LLC (“Five Traders”) (collectively referred to as “Defendants”) pursuant to Federal Rule of Civil Procedure 55(a).

1. Plaintiff filed a Complaint against Defendants on May 17, 2022. *See* Complaint For Injunctive Relief, Civil Monetary Penalties, Restitution, Disgorgement, And Other Relief, ECF 1.

2. Defendant Castilla was personally served with a copy of the Summons and Complaint in this matter on June 9, 2022. *See* Castilla Affidavit of Summons, ECF 7. Defendant

Castilla's deadline to answer or otherwise respond to the Complaint was June 30, 2022. Fed R. Civ. P. 12 (a)(1)(A)(i).

3. Defendant DCAST was personally served with a copy of the Summons and Complaint in this matter on June 9, 2022. *See* DCAST Affidavit of Summons, ECF 8. Defendant DCAST's deadline to answer or otherwise respond to the Complaint was June 30, 2022. Fed R. Civ. P. 12 (a)(1)(A)(i).

4. Defendant Five Traders was personally served with a copy of the Summons and Complaint in this matter on June 9, 2022. *See* Five Traders Affidavit of Summons, ECF 6. Defendant Five Traders' deadline to answer or otherwise respond to the Complaint was June 30, 2022. Fed R. Civ. P. 12 (a)(1)(A)(i).

5. Defendants have not filed an answer or otherwise responded to the Complaint.

6. Because Defendants have failed to plead or otherwise defend by the June 30, 2022 deadline, the clerk should enter the Defendants' default. Fed R. Civ. P. 55(a).

July 7, 2022

Respectfully submitted,

PLAINTIFF COMMODITY FUTURES  
TRADING COMMISSION

/s/ Paul M. Flucke

Paul M. Flucke (S.D. Fla. Bar # A5502898)

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Commodity Futures Trading Commission

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**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing was served by mail on all defendants at their last known address: 8181 Southwest 122<sup>nd</sup> Ave., Miami, FL, 33183.

/s/ Paul M. Flucke  
Attorney for Plaintiff